

REMARKS

Claims 15, 18 and 21 remain pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

ELECTION/RESTRICTIONS

The election/restriction requirement was deemed proper and made final. Although Applicant does not necessarily agree, to expedite prosecution, Applicant cancels non-elected and withdrawn claims 12-14, 16, 17, 19 and 20.

REJECTION UNDER 35 U.S.C. § 102

Claim 21 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Dettre et al. (U.S. Pat. No. 3,354,022). This rejection is respectfully traversed.

Although Applicant traverses the rejection, to expedite prosecution, Applicant amends claim 21. As amended, claim 21 calls for a method of making a water-repellant structural member formed of a single crystal silicon substrate. The method comprises forming irregularities including protrusion portions and recessed portions on an external surface of the member. The formation step is controlled so that the protrusions have a substantially uniform height with an evenness of height which is .5 times a width of one of the group selected from the protrusion portions and the recess portions and a top surface of the protrusions have a width in a range of 1 to 10 μm . Further, the recesses have an upper opening width in a range of 1 to 10 μm so that any droplet minimally falls

in any of the recess portions and each droplet comes into contact with an air layer in each of the recess portions.

Dettre et al. fails to teach or suggest the limitations of claim 21. In particular, Dettre fails to teach a method of making a water-repellant structural member formed of a single crystal silicon substrate and forming protrusion portions and recessed portions so that the protrusions have a substantially uniform height with an evenness of height which is .5 times a width of one of the group selected from the protrusion portions and the recess portions, so that the protrusions have a top surface width in a range of 1 to 10 μm , and so that the recesses have an upper opening width in a range of 1 to 10 μm . Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 15 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Dettre et al. in view of Kragness et al. (U.S. Pat. No. 3,765,969). This rejection is respectfully traversed. Claims 15 and 18 depend from claim 21 and should be allowable for at least the same reasons as set forth above. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office

Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: July 13, 2006

By: 

G. Gregory Schivley
Reg. No. 27,382
Bryant E. Wade
Reg. No. 40,344

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

GGs/BEW/cmh